IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
JAIPUR BENCH
S.B. Civil Writ Petition No.6271/06
Bharti Vs. District Collector, Karauli & Ors.

16.04.2007

Hon'ble Mr. Justice Mohammad Rafiq

Shri H.K. Sharma for petitioner.

Heard learned counsel for the petitioner.

Shri H.K. Sharma, the learned counsel for the petitioner has argued that in spite of order passed by the S.D.O. Todabhim, Distt. Karauli on 6.12.2005, the respondents are not making measurement of the boundaries of the disputed khasra nos. 3407/38, 3409/7, 3410/9, 3430/29 and 3431/25 of revenue Village Pahadi, Tehsil Todabhim. The

petitioner pursuant to the order passed by the S.D.O. has deposited the requisite charges vide Annexure-2 with the Tehsildar for measurement of the disputed land and has even given a written application to Tehsildar Todabhim on 19.1.2006 followed by similar application to District Collector, Kota on 8.5.2006. In spite of this, the respondents have not been making compliance of the order passed by the S.D.O., Todabhim dated 6.12.2005.

Having heard the learned counsel for the parties, I find that if what the petitioner is alleging is correct, it is indeed a serious matter, which should be taken note by the District Collector. If the S.D.O., Todabhim has upon hearing the parties has by passing the detailed order

on 6.12.2005 required Tehsildar Todabhim to measure the lands in dispute and Tehsildar was directed to take the help of SHO to make the compliance of that order, there was no reason why the Tehsildar, Todabhim should avoid doing so for so long. The petitioner is therefore given liberty to make a detailed representation within four weeks to the District Collector, Karauli who shall ensure the compliance of the order of S.D.O. as earlier as possible.

With these observations, the writ petition is disposed of.

(Mohammad Rafiq),J.

Rs/-